

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

BRANDON ANTHONY GOTTERSON,	)	Case No.: 1:22-cv-01383-KJM-HBK
	)	
Plaintiff,	)	ORDER ADOPTING THE FINDINGS AND
	)	RECOMMENDATIONS, GRANTING
v.	)	PLAINTIFF'S MOTION FOR SUMMARY
	)	JUDGMENT, DENYING DEFENDANT'S
MARTIN O'MALLEY,	)	CROSS-MOTION FOR SUMMARY
COMMISSIONER OF SOCIAL	)	JUDGMENT, AND REMANDING CASE TO
SECURITY, <sup>1</sup>	)	COMMISSIONER
	)	
Defendant.	)	

Plaintiff Brandon Anthony Gotterson initiated this action seeking judicial review of a final decision of the Commissioner of Social Security. Compl., ECF No. 1. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 26, 2024, the assigned magistrate judge issued a findings and recommendations recommending plaintiff's motion for summary judgment be granted, defendant's cross-motion for summary judgment be denied, and the Commissioner of Social Security's decision be remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). F&Rs, ECF No. 21. The findings and recommendations contained a notice that any objections were due within fourteen days. *Id.* at 1, 12. As of the date on this order, no party has filed any objections, and the deadline for doing so has passed.

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<sup>1</sup> The Court has substituted Martin O'Malley, who has been appointed the Acting Commissioner of Social Security, as the defendant in this suit. *See* Fed. R. Civ. P. 25(d).

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), the court has conducted a  
2 *de novo* review of this case. Having carefully reviewed the entire file, the court finds these  
3 findings and recommendations to be supported by the record and by the proper analysis.

4 Based upon the foregoing, the court **ORDERS**:

- 5 1. The findings and recommendations issued on April 26, 2024, ECF No. 21, are  
6 **ADOPTED** in full;
- 7 2. Plaintiff's motion for summary judgment, ECF No. 14, is **GRANTED**;
- 8 3. Defendant's construed cross-motion for summary judgment, ECF No. 17, is  
9 **DENIED**;
- 10 4. Pursuant to sentence four of 42 U.S.C. § 405(g), the court **REVERSES** the  
11 Commissioner's decision and **REMANDS** the case back to the Commissioner of  
12 Social Security for further proceedings; and
- 13 5. The Clerk shall enter judgment in favor of plaintiff, terminate any deadlines, and  
14 close this case.

15 DATED: October 1, 2024.

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18 UNITED STATES DISTRICT JUDGE  
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